

As Introduced

**131st General Assembly
Regular Session
2015-2016**

S. B. No. 336

**Senators Hite, LaRose
Cosponsor: Senator Seitz, Sawyer**

A BILL

To amend section 1345.99 and to enact section 1
1345.022 of the Revised Code to prohibit the 2
installation of unsafe used tires on certain 3
motor vehicles. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 1345.99 be amended and section 5
1345.022 of the Revised Code be enacted to read as follows: 6

Sec. 1345.022. (A) As used in this section: 7

(1) "Improper repair" means any of the following: 8

(a) Any repair to a tire in the tread shoulder or belt 9
edge area; 10

(b) A puncture that has not been both sealed or patched on 11
the inside and repaired with a cured rubber stem through the 12
outside; 13

(c) A repair to the sidewall or bead area of a tire; 14

(d) A puncture repair of damage larger than one-fourth of 15
an inch. 16

(2) "Multipurpose passenger vehicle," "passenger car," and "truck" have the same meanings as in section 4513.021 of the Revised Code. 17
18
19

(3) "Unsafe used tire" means a used tire, to which any of the following criteria applies: 20
21

(a) The tire is worn to two-thirty-seconds of an inch tread depth or less on any area of the tread. 22
23

(b) The tire has any damage exposing the reinforcing plies of the tire, including cuts, cracks, punctures, scrapes, or wear. 24
25
26

(c) The tire has an improper repair. 27

(d) The tire shows evidence of prior use of a temporary tire sealant without evidence of a subsequent proper repair. 28
29

(e) The tire has a defaced or removed United States department of transportation tire identification number. 30
31

(f) The tire is a recalled tire whose sale is prohibited under federal law. 32
33

(g) The tire has any inner liner damage or bead damage. 34

(h) There is indication of internal separation, such as bulges or local areas of irregular tread wear indicating possible tread or belt separation. 35
36
37

(B)(1) No supplier shall install an unsafe used tire on a passenger car, multipurpose passenger vehicle, or truck that will operate on a public highway. 38
39
40

(2) A violation of division (B)(1) of this section shall be considered an unconscionable consumer sales act or practice under section 1345.03 of the Revised Code. 41
42
43

(C) This section shall not apply to tires mounted on wheels or rims that are temporarily removed from a vehicle for service unrelated to the tire and reinstalled on the same vehicle. 44
45
46
47

Sec. 1345.99. (A) Whoever violates section 1345.23 or 1345.24 of the Revised Code is guilty of a minor misdemeanor. 48
49

(B) Whoever violates division (C) of section 1345.30 or division (D) of section 1345.76 of the Revised Code shall be fined not more than one thousand dollars. 50
51
52

(C) Whoever knowingly violates division (E) of section 1345.02 or knowingly violates section 1345.18 of the Revised Code is guilty of a misdemeanor of the third degree for a first offense and a misdemeanor of the second degree for any subsequent offense. 53
54
55
56
57

(D) Whoever violates section 1345.022 of the Revised Code shall be fined not more than one thousand dollars. A violation of section 1345.022 of the Revised Code is a strict liability offense and section 2901.20 of the Revised Code does not apply. 58
59
60
61

Section 2. That existing section 1345.99 of the Revised Code is hereby repealed. 62
63